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12. (Amended) The inkjet printer according to claim 9, wherein film thickness of said metal film ranges from 0.1 μm to 0.9 μm for reinforcing said head body.

REMARKS

Claims 1 - 4 and 9 - 12 remain active in this application. Claims 5 - 8 have previously been canceled. Amendment of claims 1 - 4 and 9 - 12 has been requested to improve form and reduce issues. No new matter has been introduced into the application.

The Examiner has maintained the rejection of claims 1 - 4 and 9 - 12 under 35 U.S.C. §102 as being anticipated by Mitani et al and answering previously submitted remarks by reference to a standard dictionary in response to Applicants' citation of a chemical reference dictionary in regard to the term "metallic". This rejection is again respectfully traversed, particularly as being moot in view of the amendments requested above.

Initially, it is respectfully pointed out that the Examiner's position that film 303' of Mitani et al. is, in fact, "metallic" is not particularly well-taken or well-supported by the dictionary presented. The definition relied upon is listed as a less-common usage than the usage intended by Applicants and, moreover, while the dictionary relied upon is recognized for general English-language usage, it is not necessarily considered as being authoritative in regard to technical terms such as in chemistry or materials science. Further, Hawley's Condensed Chemical Dictionary, which is recognized as being authoritative in the relevant field, makes clear *in both definition and usage* that an oxide, as layer 303' is clearly disclosed to be, is not "metallic" and moreover, since an oxide is a compound of "metallic atoms" and oxygen, it does not resemble or exhibit properties of a metal;

thus contradicting other definitions provided in the dictionary coited by the Examiner.

Much more importantly, however, even if (*arguendo*) layer 303' of Mitani et al., is well-described as metallic, that "fact" does not support the rejection or demonstrate its propriety. Specifically, independent claims 1 and 9, as finally rejected, both explicitly recite two elements: a printer head body and a metallic film. The printer head body is explicitly recited to further include orifices, ink ejection units, individual ink flow paths and a common ink flow path. Both the alloy thin film resistor heater 303 and the oxidized insulative surface layer 303' thereof are clearly a portion of an ink ejection means and, hence, cannot be also simultaneously read on another claimed element: the recited metallic film. Further, since the printer head body is recited in the claims to include specified elements, layers 303 and 303', Mitani et al. does not answer the recitation of the location of the metallic film in claims 1 or 9 or the further definition thereof in claims 3 and 11. That is, since the printer head body, as recited, includes orifices and structure defining the ink flow passages, the layers 303, 303' are *within* the print head body of Mitani et al and <u>not</u> "on a side of said head body" and certainly not "opposite to an orifice forming surface". Moreover, there is no teaching of suggestion in Mitani et al. of providing *any* particular structure at the location claimed or even recognition of the problem addressed by that claimed structure (making the print head body more structurally robust and resistant to cracking and/or breakage). Nevertheless, to avoid the issue the Examiner has improperly raised, the term "metallic" has been deleted and the claims have all been revised to recite that the film is "metal" which clearly distinguishes from Mitani et al. as applied by the Examiner.

Therefore, it is respectfully submitted that Mitani et al. does not and cannot anticipate any claim in the application, regardless of whether or not layer 303' is considered to be "metallic" and, further, since the claims, upon entry of the above-requested amendment, now clearly and unambiguously recite that the film is of "metal" and its reinforcing function is further recited in claims 4 and 12 to even further distinguish from Mitani et al. and Mitani et al has not been shown to answer the recitations of claims 2 and 10 in regard to specific metals for the film or futher definition of location of the metallic/metal film of claims 3 - 11, the Examiner has failed to make a *prima facie* demonstration of anticipation of any claim in the application. Accordingly, it is respectfully submitted that the rejection of claims 1 - 4 and 9 - 12 is clearly in error and reconsideration and withdrawal thereof is respectfully requested.

Further, it is respectfully submitted that entry of the above-requested amendments is well-justified and in order. Clearly no new issue is raised since the amendment is directed to issues considered in the previous office action and response; principally regarding the meaning of a single word which is substantially conceded by the Examiner (through improper insistence on a construction contrary to that clearly intended) to patentably distinguish the invention and render the application *prima facie* allowable. Further, in the alternative, the above amendment renders that issue moot and thus reduces issues and improves form for Appeal. Moreover, while a rejection has been made based on prior art, the issue is, in substance, a matter of form raised by the Examiner to which the amendment directly responds and for which entry is provided under 37 C.F.R. §1.116. Additionally, it is respectfully submitted that the finality of the present action is clearly premature and

should be withdrawn (and the amendment entered) since no *prima facie* demonstration of the propriety of any rejection of any claim is made therein. Accordingly entry of the above-requested amendment is respectfully requested.

Since all rejections, objections and requirements contained in the outstanding official action have been fully answered and shown to be in error and/or inapplicable to the present claims, it is respectfully submitted that reconsideration is now in order under the provisions of 37 C.F.R. §1.111(b) and such reconsideration is respectfully requested. Upon reconsideration, it is also respectfully submitted that this application is in condition for allowance and such action is therefore respectfully requested.

A petition for a one-month extension of time has been made above. If any further extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

APPENDIX

1. (Twice Amended) An inkjet recording head comprising:

a head body including:

a plurality of orifices;

a plurality of ink ejection units, each ink ejection unit arranged so as to correspond to each of said plurality of orifices;

a plurality of individual ink flow paths, each individual ink flow path for supplying ink to each of said plurality of orifices; and

at least one common ink flow path for supplying ink to said plurality of individual ink flow paths; and

a [metallic] metal film at least on a part of at least one side of said head body.

2. (Amended) The inkjet recording head according to claim 1, wherein said [metallic] metal film contains as a main component at least one metal selected from the group [comprising] consisting of chrome, nickel, zirconium, niobium, molybdenum, hafnium, tantalum and tungsten.

3. (Twice Amended) The inkjet recording head according to claim 1, wherein

said plurality of orifices are formed on one side of the head body,

said each ink ejection unit includes an ink heating unit,

an ink supply bore hole for supplying ink to said at least one common ink flow path is bored on a side opposite to an orifice forming surface of said head body, and

said [metallic] metal film is provided on the side opposite to the orifice forming surface of said head body.

4. (Amended) The inkjet recording head according to claim 1, wherein film thickness of said [metallic] metal film ranges from 0.1 μm to 0.9 μm for reinforcing said head body.

9. (Twice Amended) An inkjet printer using an inkjet recording head comprising:

a head body including:

a plurality of orifices;

a plurality of ink ejection units, each ink ejection unit arranged so as to correspond to each of said plurality of orifices;

a plurality of individual ink flow paths, each individual ink flow path for supplying ink to each of said plurality of orifices; and

at least one common ink flow path for supplying ink to said plurality of individual ink flow paths; and

a [metallic] metal film at least on a part of at least one side of said head body.

10. (Amended) The inkjet printer according to claim 9, wherein said [metallic] metal film contains as a main component at least one metal selected from the group [comprising] consisting of chrome, nickel, zirconium, niobium, molybdenum, hafnium, tantalum and tungsten.

11. (Twice Amended) The inkjet printer according to claim 9, wherein

said plurality of orifices are formed on one side of the head body,

said each ink ejection unit includes an ink heating unit,

an ink supply bore hole for supplying ink to said at least one common ink flow path is bored on a side opposite to an orifice forming surface of said head body, and

said [metallic] metal film is provided on the side opposite to the orifice forming surface of said head body.

12. (Amended) The inkjet printer according to claim 9, wherein film thickness of said [metallic] metal film ranges from 0.1 μm to 0.9 μm for reinforcing said head body.